

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHANGE XIONG,

Civil No. 17-389 (JRT/SER)

Petitioner,

v.

ORDER

JOE PAGET,

Respondent.

Chang Xiong, 1189 Norton Avenue #1, St. Paul, MN 55117, *pro se* petitioner.

Ana H. Voss, Assistant United States Attorney, **UNITED STATES ATTORNEY'S OFFICE**, 300 South Fourth Street, Suite 600 Minneapolis, MN 55415, for respondent.

A Report and Recommendation was filed by Magistrate Judge Steven E. Rau on July 14, 2017. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Xiong's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 [Docket No. 1] is **DENIED as moot**;
2. Xiong's Motion to Appoint Counsel [Docket No. 2] is **DENIED as moot**;
3. This action is **DISMISSED without prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 1, 2017
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court